

# Congress of the United States

Washington, DC 20515

May 15, 2023

The Honorable Secretary Thomas J. Vilsack  
U.S. Department of Agriculture  
1400 Independence Avenue, SW  
Washington, DC 20250

The Honorable Kevin Shea  
Animal and Plant Health Inspection Service  
4700 River Road  
Riverdale, MD 20737

Dear Secretary Vilsack and Administrator Shea:

We write to follow up on a December 9, 2022 communication regarding credible reports of possible Animal Welfare Act violations perpetrated by Neuralink, a private company that uses monkeys, pigs, sheep, and rats in experiments related to the development of a brain-machine interface. In that letter, we highlighted the importance of the United States Department of Agriculture (USDA) and Animal and Plant Health Inspection Service (APHIS) Inspector General investigation in effectively enforcing the Animal Welfare Act.

Unfortunately, since my letter a new allegation has surfaced in a subsequent May 4 report from Reuters which requires USDA and APHIS to investigate Neuralink for possible conflicts of interest among its Institutional Animal Care and Use Committee (IACUC) members. Despite the ongoing investigation by the USDA Office of Inspector General, these potential conflicts require immediate attention by APHIS.

New information about Neuralink's internal IACUC, which was recently brought to light by Reuters, may help explain some of the documented problems related to the company's experiments. Specifically, the IACUC appears to be composed almost exclusively of company employees with significant financial stakes in the very animal studies they are required to evaluate under the Animal Welfare Act. In addition, several IACUC members report to the committee's chairperson in their regular Neuralink roles, separate from the IACUC. Such close connections were "never disclosed" to USDA, according to the Reuters report.

Animal Welfare Act regulations state: "No member may participate in the IACUC review or approval of an activity in which that member has a conflicting interest (e.g., is personally involved in the activity), except to provide information requested by the IACUC..."<sup>1</sup> Yet, according to the report, 19 of the IACUC's 22 members were paid employees of Neuralink as of late 2022, presenting clear conflicts of interest.

Congress has a significant interest in ensuring that all facilities using animals in research and testing—whether they are government-run, universities, or private companies—comply with the minimal standards of the Animal Welfare Act. Once again, we urge you to investigate Neuralink on this issue and update us on the findings. We also request that you provide clarification on how APHIS interprets conflicts of interest among IACUC members, especially those at private companies.

Thank you for your time and attention to this important matter.

Sincerely,

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<sup>1</sup> § 2.31(d)(2)

A blue ink signature of Earl Blumenauer, written in a cursive style.

Earl Blumenauer  
Member of Congress

A blue ink signature of Adam B. Schiff, written in a cursive style.

Adam B. Schiff  
Member of Congress

A blue ink signature of Donald M. Payne, Jr., written in a cursive style.

Donald M. Payne, Jr.  
Member of Congress

A blue ink signature of Dina Titus, written in a cursive style.

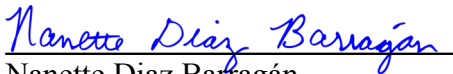
Dina Titus  
Member of Congress

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Tony Cardenas  
Member of Congress

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Mark Pocan  
Member of Congress

A blue ink signature of Nanette Diaz Barragan, written in a cursive style.

Nanette Diaz Barragan  
Member of Congress

A blue ink signature of Barbara Lee, written in a cursive style.

Barbara Lee  
Member of Congress